

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

RONALD JAMES DAVENPORT,

Plaintiff.

V.

BRIAN D. BAILEY and HADEN M.
BROCKETT,

Defendants.

NO: CV-13-0099-JPH

**ORDER ADOPTING REPORT AND
RECOMMENDATION AND
DISMISSING ACTION WITHOUT
PREJUDICE**

Magistrate Judge Hutton filed a Report and Recommendation on May 14, recommending Plaintiff's Motion to Voluntarily Dismiss pursuant to Rule 41 of the Federal Rules of Civil Procedure, be granted, ECF No. 14. The Court had ruled on his application to proceed *in forma pauperis*. There being no objections, the Court **ADOPTS** the Report and Recommendation. The Motion to voluntarily Dismiss, **ECF No. 13**, is **GRANTED** and this action is **DISMISSED** without prejudice.

IT IS SO ORDERED. The District Court Clerk is directed to enter this Order, enter judgment of dismissal without prejudice, forward a copy to Plaintiff and close the file.

DATED this 3rd day of June 2013.

s/ Rosanna Malouf Peterson
ROSANNA MALOUF PETERSON
Chief United States District Court Judge